

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

Entesar Al Qassab,	)	FILE NO.: _____
	)	NOTICE OF REMOVAL OF
Plaintiff,	)	CIVIL ACTION UNDER 28
	)	U.S.C. § 1441(a)
v.	)	(DIVERSITY JURISDICTION)
Target Corporation,	)	(Removed from the State Court
	)	of the State of Georgia, County
Defendants.	)	of Gwinnett, File No. 23-C-
	)	03078-S4)
	)	JURY TRIAL DEMANDED
)	

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that Defendant Target Corporation (hereinafter “Target”) hereby removes the above-captioned action to this Court from the State Court of the State of Georgia, County of Gwinnett (File No. 23-C-03078-S4) (hereinafter “State Action”). As set forth herein, Target has complied with the statutory requirements for removal under 28 U.S.C. §§ 1441 and 1446, and this Court has diversity jurisdiction over this action pursuant to 28 U.S.C. § 1332(a)(1).

Removal is based on diversity jurisdiction pursuant to 28 U.S.C. § 1332 because Plaintiff Entesar Al Qassab (“Plaintiff”) and Target have complete diversity

of citizenship and the amount in controversy exceeds \$75,000.00. In support of this Notice, Target as follows:

I. PROCEDURAL REQUIREMENTS

1. The State Action was commenced by the Plaintiff filing a lawsuit in Georgia State Court, Gwinnett County, on May 5, 2023. A copy of the Plaintiff's Complaint is attached at "Exhibit A." A copy of all other process, pleadings, and items served on Target from the State Action are attached at "Exhibit B," as required by 28 U.S.C. § 1446(a). This is a civil action for personal injury, inclusive of special and general damages sought by Plaintiff against Target.
2. This Notice is timely, as it is filed within one year of the State Action's commencement on May 5, 2023, and within 30 days of receipt of the Plaintiff's Complaint, which was served on Target on May 9, 2023. See 28 U.S.C. § 1446(b)(1).
3. The State Action is properly removed to the United States District Court for the Northern District of Georgia, Atlanta Division, as that is the "district and division embracing the place where [the State Action] is pending." See 28 U.S.C. § 1441(a); see also 28 U.S.C. § 90(a)(2) (listing Gwinnett County as within the Atlanta Division of the Northern District of Georgia).

4. Target will promptly file a copy of this Notice of Removal with the clerk of the Georgia State Court, Gwinnett County, and will serve a copy on the other parties to the State Action, as required by 28 U.S.C. § 1446(d)

II. BACKGROUND

5. Plaintiff alleges that on May 27, 2021, while visiting a Target Store in Snellville, Georgia, Plaintiff slipped and fell due to liquid on the floor. (Complaint, ¶ 5).
6. Plaintiff alleges that the slip and fall caused her to suffer significant injuries. (Complaint, ¶ 8).
7. The Plaintiff alleges four purported causes of action arising from these facts: 1) negligence; 2) premises liability; 3) vicarious liability; and 4) negligent training and supervision.

III. GROUNDS FOR REMOVAL

8. This Court has original jurisdiction over this matter pursuant to 28 U.S.C. § 1332 because there is complete diversity between the parties and the amount in controversy exceeds \$75,000.00, exclusive of interest and costs.

A. There is Complete Diversity Between the Parties

9. Plaintiff states she is a citizen of the State of Georgia. (See Complaint ¶1).
10. Target is a domestic for Profit (Business) Corporation incorporated and domiciled in the State of Minnesota. See Minnesota Business Filing Details,

attached hereto as "Exhibit C." Target's Statutory Agent is CT Corporation System located at 1010 Dale Street N., St. Paul, Minnesota 55117-5603. For purposes of determining diversity jurisdiction, Target is therefore, a citizen of Minnesota. 28 U.S.C. § 1332(c)(2).

B. The Amount In Controversy Exceeds \$75,000.00

11. It is clear that the amount in controversy exceeds \$75,000.00. See Complaint, *generally*. Plaintiff claims that, as a result of Target's negligence, she suffered serious and significant injuries and damages, including past and future medical expenses, past and future lost wages, mental and physical pain and suffering, and emotional distress. The nature and extent of Plaintiff's claimed injuries alone provide Target with a good-faith belief that the amount in controversy exceeds \$75,000.00.
12. Additionally, Plaintiff submitted pre-suit correspondence to Target demanding that Target pay Plaintiff \$300,000.00, as a result of the alleged injuries from this incident, listing economic/ special damages as \$60,150.22, including a suggested total of \$300,751.10 for pain and suffering, as well as additional estimates for loss of enjoyment of life, duties under duress, and future pain and suffering.

13. Although Target denies that Plaintiff is entitled to recover any amount and specifically denies that Plaintiff is entitled to relief in the various forms sought, the Plaintiff's pre-suit demand places in controversy more than \$75,000.00, exclusive of interest and costs.

IV. RESERVATION OF RIGHTS

14. By filing this Notice of Removal and the associated attachments, Target does not waive any objections they may have as to service, jurisdiction, or venue, or any other claims, defenses, or objections that are or may be available to them in this action. Furthermore, Target intends no admission of fact, law, or liability by this Notice, and they expressly reserve all defenses, motions, and/or pleas.

V. CONCLUSION

WHEREFORE, pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, Target hereby removes this action from the State Court of Gwinnett County, Georgia, to the United States District Court for the Northern District of Georgia, Atlanta Division.

This the 6th day of June, 2023.

HUFF, POWELL & BAILEY, LLC

/s/ Sharonda B. Barnes

SHARONDA BOYCE BARNES
Ga. Bar No. 245438

/s/ Francesca G. Townsend

FRANCESCA G. TOWNSEND
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CERTIFICATE OF COMPLIANCE

Pursuant to Local Rules 5.1(B) and 7.1(D), I hereby certify that the foregoing filing complies with the applicable font and size requirements and is formatted in Times New Roman, 14-point font.

This the 6th day of June, 2023.

HUFF, POWELL & BAILEY, LLC

/s/ Sharonda B. Barnes

SHARONDA BOYCE BARNES
Ga. Bar No. 245438

/s/ Francesca G. Townsend

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing NOTICE OF REMOVAL with the Clerk of the Court via CM/ECF and by electronic and/or US mail to the following attorneys of record:

Jason N. Slate
Ali Awad Law, PC
200 Peachtree Street NW
Suite 201
Atlanta, GA 30303
jason@ceolawyer.com

This the 6th day of June 2023.

HUFF, POWELL & BAILEY, LLC

/s/ Sharonda B. Barnes

SHARONDA BOYCE BARNES
Ga. Bar No. 245438

/s/ Francesca G. Townsend

FRANCESCA G. TOWNSEND
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